



# AMENDMENT TRANSMITTAL LETTER

Docket No.  
04266/100M275-US1

Application No.  
10/768,953

Filing Date  
January 29, 2004

Examiner  
A. A. Lewis

Art Unit  
1614

Applicant(s):

Invention: TREATMENT OF NEUROMUSCULAR DYSFUNCTION OF THE LOWER URINARY TRACT  
WITH SELECTIVE MGLU5 ANTAGONISTS

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	65	- 65 =	0	x 0	0.00
Independent Claims	2	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input checked="" type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

☒ Large Entity

☐ Small Entity

☒ No additional fee is required for this amendment.

☐ Please charge Deposit Account No. 04-0100 in the amount of \$  
A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 04-0100  
as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Mitchell Bernstein, Ph.D.  
Attorney/Agent Reg. No.: 46,550

Dated: March 2, 2006

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Docket No.: 04266/100M275-US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: Amedeo Leonardi et al.

Application No.: 10/768,953

Art Unit: 1614

Filed: January 29, 2004

Examiner: Amy A. Lewis

For: **TREATMENT OF NEUROMUSCULAR  
DYSFUNCTION OF THE LOWER  
URINARY TRACT WITH SELECTIVE  
mGLU5 ANTAGONISTS**

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper responds to the Office Action for the above-identified application that was mailed by the USPTO on January 12, 2006. The Office Action sets forth a restriction requirement and further sets forth election requirements for the application. A petition for an extension of time and a check in the required amount are enclosed to extend the time for response to March 12, 2006.

In response to the aforementioned restriction requirement, Applicant elects examination of invention Group I, claims 1-49, drawn to a method of treating neuromuscular dysfunction of the lower urinary tract comprising administering a compound having selective affinity for the mGlu5 subtype of metabotropic glutamate receptors.

In partial response to the requirements for election of species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable, Applicant elects compounds of Formula III (species "c" on page 3 of the Office Action).

In response to the Examiner's further requirement to elect one specific compound that falls within elected Formula III, Applicant further elects the compound 2-(2-methylthiazol-4-yl)ethynylpyridine (MTEP). Claims 1-30, 41 and 42 read on the elected species.

As acknowledged by the Examiner, both the species election of Formula I and the further species election of MTEP are made solely for the purpose of prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The requirements to elect species are traversed to any extent that they are not solely for the purpose of examination should no generic claim be finally held to be allowable. Accordingly, following examination of the elected species, the Examiner is requested to examine the full scope of the claims of elected invention Group I, claims 1-49.

A prompt and favorable action of the merits of the application is solicited. Should the Examiner believe prosecution would be advanced by conducting an interview with Applicant's representative, the Examiner is requested to contact the undersigned representative.

Dated: March 2, 2006

Respectfully submitted,

By 

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